

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of A.D.J. and A.D.J., Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

WANDA ANN JONES,

Respondent-Appellant,

and

JONATHAN DEON BROOKS, LUTHER
NICHOLS, and JAYJUAN WILLIAMS,

Respondents.

UNPUBLISHED

October 29, 2002

No. 237702

Wayne Circuit Court

Family Division

LC No. 00-386201

Before: Hoekstra, P.J., and Wilder and Zahra, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from an order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

In order to terminate parental rights, the family court must find that at least one of the grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. *In re Powers Minors*, 244 Mich App 111, 117; 624 NW2d 472 (2000). This Court reviews the trial court's decision to terminate parental rights for clear error. MCR 5.974(I); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). A finding is clearly erroneous if this Court is left with a definite and firm conviction that a mistake has been made. *Powers, supra* at 117-118.

Although respondent correctly notes that she was in full or substantial compliance with the majority of the requirements set forth in the parent-agency agreement, the family court did not clearly err in finding that petitioner established the existence of statutory grounds for termination by clear and convincing evidence. There was clear and convincing evidence that termination was warranted under subsection (3)(c)(i). The conditions that led to the adjudication

were respondent's inappropriate discipline of one of the children, her homelessness, and her untreated mental illness. While respondent may have improved her disciplinary methods through her undisputedly excellent visitation record and completion of parenting classes, there was also undisputed evidence that her mental illness had been repeatedly diagnosed but went largely untreated at her own insistence. Furthermore, she was never able to obtain her own housing despite numerous referrals.

Nor did the family court clearly err in finding that subsections (3)(g) and (j) were proven by clear and convincing evidence. The evidence established that respondent lacked the judgment necessary to provide a stable home environment for the children and her insistence on refusing treatment for her schizophrenia negated any reasonable expectation that she would be able to do so in a reasonable time. Although respondent maintained that she did not need medication, there was overwhelming clinical evidence to the contrary. MCL 712A.19b(3)(g). For the same reasons, termination was appropriate under subsection (3)(j). Respondent's inability to maintain a steady job or find adequate housing, along with her impaired judgment, made it likely that the children would be harmed if returned to her.

Likewise, the family court correctly concluded that termination was in the best interests of the children. The evidence did not show that termination was clearly not in their best interest. MCL 712A.19b(5); *Trejo, supra* at 356-357. There was no clear error.

Finally, contrary to respondent's assertion, petitioner took reasonable steps to reunify the family and to rectify the conditions that caused the children to come into care. See MCL 712A.18f(4). The agency made numerous referrals toward finding housing for respondent and her children but respondent did not follow up. The agency also made numerous referrals for mental health treatment but again respondent refused to participate. Termination of respondent's parental rights was proper.

Affirmed.

/s/ Joel P. Hoekstra
/s/ Kurtis T. Wilder
/s/ Brian K. Zahra